

(Rev. 5/05)

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

(1) DAVID SCOTT YARNALL 548973
(Name of Plaintiff) (Inmate Number)

SUSSEX CORRECTIONAL INSTITUTION
P.O. Box 500
GEORGETOWN DE 19947
(Complete Address with zip code)

(2) _____
(Name of Plaintiff) (Inmate Number)

(Complete Address with zip code)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

vs.

(1) PTLM LOWE 10732 CO1 OF MILLSBORO POLICE DEPT.

(2) UNKNOWN OFFICERS WHO RESPONDED TO SCENE
OF MILLSBORO POLICE

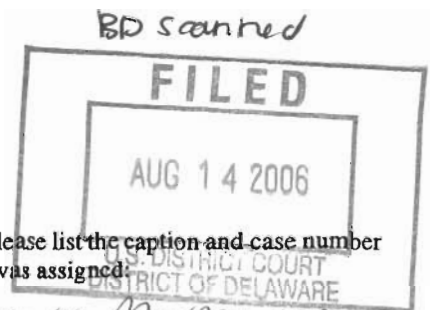
(3) _____
(Names of Defendants)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

06 - 501
(Case Number)
(to be assigned by U.S. District Court)

CIVIL COMPLAINT

☒ Jury Trial Requested



I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

DAVID SCOTT YARNALL VS CAPORAL ANTHONY MENDEZ 0322
OF THE DELEWARE STATE POLICE, TROOP 7 / 7-05-05

HONORABLE JUDGE JUE L. ROBINSON
05-527-SLR

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ••Yes ••No N/A
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ••Yes ••No N/A
- C. If your answer to "B" is Yes:
1. What steps did you take? N/A
 2. What was the result? N/A
- D. If your answer to "B" is No, explain why not: N/A

III. DEFENDANTS (in order listed on the caption)

(1) Name of first defendant: PTLM LOUKE 10732 001

Employed as POLICE OFFICER at MILLSBORO POLICE DEPT.

Mailing address with zip code: 307 MAIN ST MILLSBORO DE 19966

(2) Name of second defendant: UNKNOWN POLICE OFFICERS

Employed as POLICE OFFICERS at MILLSBORO POLICE DEPT.

Mailing address with zip code: 307 MAIN ST MILLSBORO DE 19966

(3) Name of third defendant: _____

Employed as _____ at _____

Mailing address with zip code: _____

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. I, DAVID S. YARNALL, WAS VIOLATED BY THE USE OF EXCESSIVE FORCE BY MILLSBORO POLICE OFFICER PTLM LOWE 10732 001 IN A GRABBY LOT NEXT TO GROTTA'S PIZZA RESTAURANT ON LONGNECK RD B ATTACKING ME WITH A TAZER GUN AND HITTING ME IN THE BACK OF THE NECK WITH HIS FOREARM AND OVER USE OF HIS TAZER, WHILE HANDCUFFED.
2. I, DAVID SCOTT YARNALL WAS VIOLATED BY UNKNOWN POLICE OFFICER'S OF MILLSBORO POLICE DEPT FOR FAILURE TO PREVENT THE USE OF EXCESSIVE FORCE BY ALLOWING PTLM LOWE 10732 001 TO ATTACK ME WITH A TAZER GUN, HIT ME IN THE BACK OF MY NECK WITH HIS FOREARM AND TO CONTINUE ON TAZERING ME, WHILE HANDCUFFED.
3. I, DAVID SCOTT YARNALL WAS VIOLATED BY EXCESSIVE FORCE BY PTLM LOWE 10732 001 WHEN AFTER I WAS TACKLED HE KEPT PRESSING HIS FOOT, ON THE WOUNDS SUSTAINED FROM BEING STRUCK ON THE HEAD WITH A FLASHLIGHT WHILE I WAS HANDCUFFED, WHEN MY FACE WAS ON THE ASPHALT PARKING LOT. PICTURE CAN BE SEEN ON SUSSEX CORRECTIONAL INST. COMPUTER AND MY I.D.

V. RELIEF

ALL OF THIS STATED CAN BE SEEN ON VIDEO TSP 10345/ARE 7-218
PTLM LOWE'S POLICE REPORT DOESN'T MATCH VIDEO
(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I, DAVID S. YARNALL AM ASKING THE COURT TO PLACE PTLM LOWE 10732 001 BACK IN POLICE ACADEMY TO LEARN HOW TO ACCESS A SITUATION AND TREAT A PRISONER. NO CHANGE OF MIND - FIRE HIM!

2. I, DAVID SCOTT YARNALL, AM SEEKING
3 MILLION DOLLARS - NOMINAL, COMPENSATORY,
PUNITIVE.
3. I, DAVID SCOTT YARNALL, AM ASKING THAT CAMERAS
ROTATE 360° ON POLICE CRUISERS AND EACH POLICE
OFFICER IN DELEWARE HAS A TRACKING DEVICE SO
THE CAMERA CAN FOLLOW THEM!

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 3 day of AUGUST, 2006.



(Signature of Plaintiff 1)

(Signature of Plaintiff 2)

(Signature of Plaintiff 3)

548973
I/M: DAVID S. YARON
SUSSEX CORRECTIONAL INSTITUTION
P.O. BOX 500
GEORGETOWN, DELAWARE 19947

BLDG: 441

U.S.M.S.
X-RAY

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U.S. DISTRICT COURT

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